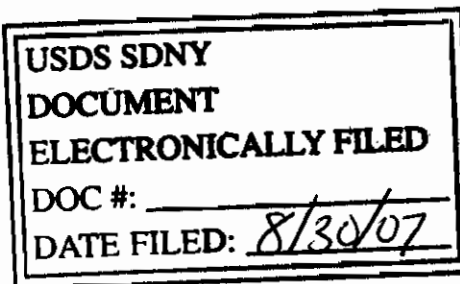


**MEMO ENDORSED**

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August 23, 2007

**VIA FACSIMILE: (212) 805-7949**The Honorable P. Kevin Castel  
United States District Court  
Southern District of New York  
500 Pearl St., Room 2260  
New York, NY 10007Re: Pattonium, Inc. v. J&D Associates, LLC, North American  
Concerts, Corp., Edward Morelli, North American Concerts, Inc.  
(Index No. 07 CIV 6204 (PKC))

Dear Judge Castel:

We are the attorneys for the Plaintiff in the above-captioned action. Permission to deliver this letter by facsimile was obtained from Your Honor's Law Clerk on August 20, 2007.

Pursuant to the Court's Order dated August 15, 2007, we are writing with respect to the amendment of our client's Amended Complaint, to specifically allege the citizenship of the members of the Defendant, J&D Associates, LLC ("J&D").

We respectfully request the Court's direction regarding the filing of the Second Amended Complaint, which is annexed hereto. The only change to the Amended Complaint is in paragraph 2, which sets forth the citizenship of both of the members of the LLC.

Since the Complaint had previously been amended pursuant to Federal Rule of Civil Procedure 15(a), this second amendment requires leave of the Court or consent of the parties. All of the Defendants have been served with the Amended Complaint, but no Answer has been interposed. We have not

SHUKAT ARROW HAFFER WEBER & HERBSMAN, L.L.P.

The Honorable P. Kevin Castel

August 23, 2007

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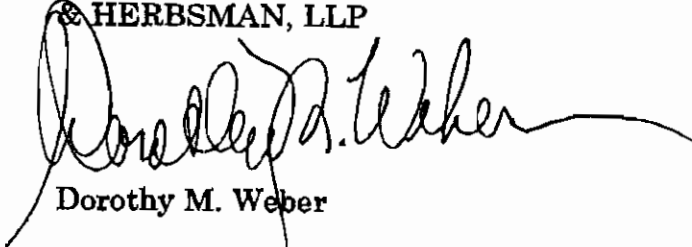
been able to obtain consent from the Defendants, who have refused, or from J&D's Michigan counsel, who states that they are not representing J&D in New York.

In the event that the Order of August 15, 2007 does not constitute leave to make this amendment, we respectfully request that this letter be considered as Plaintiff's compliance with Rule 2.A.1 of Your Honor's Individual Practices. We request a pre-motion conference so that Plaintiff can move to amend the Complaint pursuant to Rule 15(a). Plaintiff submits that such a motion is appropriate since leave to amend should be freely given when justice so requires (Fed. Rule Civ. Proc. 15(a), Foman v. Davis, 371 U.S. 178, 83 S.Ct. 227), particularly where, as here, it is at the inception of the litigation.

*Pre-motion conference  
waived. Leave to amend  
is granted. Second Amended  
Complaint may be  
filed.  
SO ORDERED  
JSP  
8-30-07*

Respectfully submitted,

SHUKAT, ARROW, HAFFER, WEBER  
& HERBSMAN, LLP



Dorothy M. Weber

Enclosure

cc: J&D Associates, LLC (via first-class mail)  
Vanessa Miller, Foley & Lardner LLP (via facsimile)  
North American Concerts, Corp. (via facsimile & first-class mail)  
Edward Morelli (via facsimile & first-class mail)  
North American Concerts, Inc. (via first-class mail)